

ATTORNEYS AT LAW

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July 30, 2008

**VIA FACSIMILE**

Stephen Shaiken, Esq.  
LAW OFFICES OF STEPHEN SHAIKEN  
190 Columbus Avenue, Suite 100  
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Jeffrey Michael Vucinich, Esq.  
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1111 Bayhill Drive  
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San Bruno, CA 94066

**Re: *Ayala-Canjura v. City of East Palo Alto***  
**U.S. District Court, California Northern District**  
**Civil Case No. CV 08 1714 SBA**  
**Deadline for Session: September 22, 2008**

Dear Counsel:

As you know, I have been appointed by the District Court to serve as the evaluator in this case under the court's Early Neutral Evaluation (ENE) program. Please be sure to review carefully ADR Local Rule 5 which governs the ENE program. I have attached a resume describing my professional experience.

- The procedures to be followed
- The nature of the case
- Appropriate dates for the ENE session
- The parties who will be present at the session and other procedural matters
- Any party or key witness who will be asked to present an oral statement of the testimony that would be offered at trial
- Ideas to improve the effectiveness of the ENE session or matters that could pose impediments
- Requirements for your written ENE statements
- Any questions you might have about the ENE program

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WENDEL, ROSEN, BLACK & DEAN, LLP

I anticipate that the telephone conference will last approximately one-half hour. Please meet and confer and then contact my secretary with available dates. Before the telephone conference, please ascertain from your clients and any insurers a selection of dates upon which the ENE session may be conducted. The final date that the session can be held is September 22, 2008.

Please be advised that the Court has provided me copies of the docket sheet showing filings through July 9, 2008, the Complaint, the Joint Case Management Conference Statement and the Stipulation and Order Selecting ADR Process.

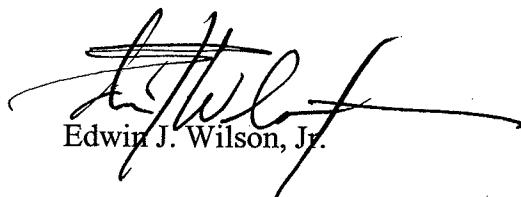
Please understand too that there may be no *ex parte* communications (except as to scheduling matters) without the advance consent of the parties. If you have questions about procedure, please alert me to them in a letter copied to other counsel or arrange a joint telephone call. If there is a question concerning scheduling, please contact my secretary, Jeannie McGreevy.

My conflicts check revealed no other actual or potential conflicts of interest under 28 U.S.C. §455(a) and (b), and I am not aware of any other circumstances that would compromise my impartiality or the appearance of impartiality.

I look forward to assisting you on this case.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN LLP

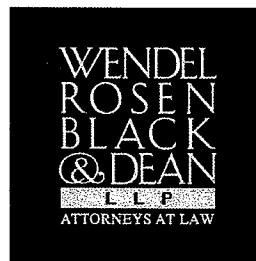


Edwin J. Wilson, Jr.

EJW/jlm

Enclosure

cc: Alice M. Fiel (ADR Unit, U.S. District Court, N.D. California)



## **Edwin J. Wilson, Jr.**

Attorney

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### **Practice Areas**

- Litigation
- Employment
- Restaurants and Wineries

### **Experience**

Ed is a skilled litigator who has defended hundreds of claims and has achieved significant verdicts and settlements as plaintiffs' counsel in cases involving employment discrimination, sexual harassment, personal injury, road design, product liability, civil rights violations, police misconduct, medical malpractice, predatory lending and fire cause liability.

Ed's clients have included a broad range of individuals and entities, including, attorneys, law firms, health care professionals and organizations, educational institutions, public entities and public officials, construction contractors and professionals, to name a few. Ed has represented numerous public officials in their individual and/or official capacities in complex and high profile civil and criminal matters. Additionally, he has been retained as a consultant to conduct internal affairs investigations for the city of Pasadena and a special investigation for the city of Sacramento.

Ed has served as an arbitrator for the American Arbitration Association and the Alameda County Superior Court, as well as acting as an Early Neutral Evaluator for the United States District Court-Northern District of California's Alternative Dispute Resolution program and as a commissioner for the Alameda County Superior Court's Early Disposition and Settlement Programs.

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## **Reported Cases**

- *Bay Area Rapid Transit Dist. v. Superior Court* (1995) 38 Cal.App.4th 14 (Civil Rights)
- *Morgan v. Woessner* (9th Cir. 1993) 997 F.2d 1244 (Civil Rights)
- *Morgan v. Woessner* (9th Cir. 1993) 975 F.2d 629 (Civil Rights)
- *People v. Shepard* (1991) 228 Cal.App.3d 1410 (Conflict of Interest)
- *McAlpine v. Superior Court* (1989) 209 Cal.App.3d 1 (Civil Rights)
- *Okura v. United States Cycling Federation* (1986) 186 Cal.App.3d 1461 (Contract)
- *Farrow v. Montgomery Ward, Ltd.* (1986) 176 Cal.App.3d (ERISA)
- *Craven v. Crout* (1985) 163 Cal.App.3d 779 (Medical Malpractice)
- *Alameda County v. Lackner* (Mattson) (1978) 79 Cal.App.3d 274 (Administrative Law)
- *Parrot v. Rogers* (1980) 103 Cal.App.3d 779 (Administrative Law)

## **Admissions**

- State Bar of California
- United States District Court; Northern, Central and Southern Districts of California
- United States Court of Appeals, Ninth Circuit

## **Affiliations**

- American Board of Trial Advocates, San Francisco Chapter
- American Bar Foundation
- American Arbitration Association
- Alameda County Bar Association
- Alameda-Contra Costa County Trial Lawyers Association
- Charles Houston Bar Association
- Creative Growth Center
  - Vice President, Board of Directors (1998-2003)
- Downs Community Development Corporation
  - Vice President, Board of Directors (2006-2008)
- Million Dollar Advocates Forum

## **Speaking and Teaching**

- “Federal Civil rights Act: Qualified Immunity Defense,” 2004 Annual Meeting of the State Bar of California

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- California Continuing Education of the Bar (CEB)
- California Trial Lawyers Association
- Hastings College of Trial Advocacy
- Ninth Circuit Judicial Counsel
- Practicing Law Institute
  - Civil Rights Litigation and Product Design Liability
- State Bar of California

**Publications**

- Contributor and Consultant to the California Continuing Education of the Bar publications regarding civil procedure and government tort liability
- Contributor to the Practicing Law Institute publications regarding civil rights litigation and product design liability

**Awards and Honors**

- Honoree at the 13th Annual African American Excellence in Business in 2008
- Recognized as Northern California "Super Lawyer" in civil litigation defense by Law & Politics (as seen in *San Francisco Magazine*) in 2008 and 2008

**Education**

- University of California, Berkeley, Boalt Hall School of Law; J.D. (1970)
- University of California, Berkeley; B.A. , Rhetoric (1966)